

# TERRIFIC FIRE FROM LAND, SEA AND AIR DESTROYS VILLAGES

the rest of her life with an indictment for murder hanging over her."

District Attorney Lewis J. Smith, immediately after the jury was discharged by Justice Kelly at midnight yesterday morning, said that he would not undertake to put Mrs. Carman on trial again. Her stories were carried to him later which made him consider changing his mind.

One of the two jurors who held fast to the belief that Mrs. Carman ought to be held guilty of manslaughter—or killing Mrs. Bailey unintentionally with a deadly weapon—was quoted as saying that nine other members of the jury had discovered the strict order of the Court repeated to them at every adjournment of the case: "Do not discuss this case among yourselves and allow no one else to discuss it with you or in your presence."

According to this juror he overheard a group of his fellow jurors talking over the day's testimony in the hall of the Garden City Hotel, where they were quartered, Thursday evening. He suggested that they were disobeying the law. One of them, according to this juror, frankly acknowledged it and told him that nine of the jurors had come to an agreement after hearing Mrs. Carman's direct examination that they would acquit her no matter what further evidence was produced against her.

The juror who told this story promptly repudiated it when he found that proof of its truth would probably bring on a general scandal and a new trial for Mrs. Carman. Nevertheless District Attorney Smith set out upon a searching investigation to the end not only that he might satisfy himself as to whether or not the trial had been fair, but also that the jurors who discovered the trial Justice might be punished for contempt of court.

Justice Kelly is a martinet for court discipline, and his demeanor throughout the trial showed an almost unswerving insistence that his court should be in truth a temple of justice and not the setting of a theatrical spectacle.

"As the matter stands now," Mr. Smith said when he reached his office today, "there is no authority for this story of a premature agreement of the jury. I hope to find that it is a wild yarn which developed out of the long service with through Saturday night and Sunday morning. But if I do discover that it has a foundation, in fact I shall ask the Appellate Division to grant a new trial for Mrs. Carman. I am ready; the witnesses are all at hand. If there must be a new trial it can be held now at the least possible expense to the county and with the least possible breaking up of the array of witnesses offered by both sides."

William G. Harvey of Woodmere, a traveling salesman, and Joseph H. Adams of Fort Washington, publisher of *The Evening World*, the two jurymen who stood to the end to their belief that Mrs. Carman had shot and killed Mrs. Bailey, were the only members of the jury, all of whom were sworn in at the trial in the courtroom at the county house in the city, who refused to join in an acquittal verdict.

There were threats of a fight in the jury room. At one time a juror suggested that action ought to be taken out of court. Action to a showdown was made of mind. However, who is to carry out the threat after that?

Mrs. Carman collapsed when she found that she was not to be set free to be taken home by her husband and her little daughter in triumph. The strain had told on her more seriously than on any one in the courtroom, of course, but every body else in the courtroom and in all of Manhattan was nervously worn out. When Foreman Ladd reported to the Court that an agreement was

not possible he was almost peevish in his emphasis and his assertion that nobody on the jury had slept for more than twenty-four hours. Justice Kelly was almost as irritable in retorting: "I am in the same boat with you as regards sleep, gentlemen." He looked it. His face was pale and his eyes were inflamed.

## MINEOLA LIKE MINING CAMP SATURDAY NIGHT

While the jury was wrangling through the night Mineola, which is usually as quiet as the grave after 10 o'clock at night, was lighted up like Goddard in the light of the Mineola boom or Reno the night before the Justice-Johnson prize fight. The excise law was forgotten. Lawyers, witnesses, farmers, staid old women and eager girls were striding in the middle of the streets, on the steps of the hotels and in the railroad station. Persons entirely strangers held their hands under each other's noses and called names as they debated.

Joy riders who made the trial a point of call in their night wanderings and who had not heard a word of the testimony joined in the emotional confusion, parked their cars about the court house and sought out a fight. When the jury was discharged, just after church time, the whole town, natives and strangers, slumped down and crawled to the nearest sleeping place.

One incident of the long wait promised real bloodshed for a moment. "Big Tom" O'Grady, one of the strike-breaker witnesses, who was called to discredit the witness Farrell, was called to a telephone booth. In a moment he was shouting profane and abusive things at somebody.

"You say you are over at the railroad station," he roared at his invisible tormentor. "You wait until I can get over there and I'll knock your head off and break every bone in your body. Just wait. I don't care how big a gang you have got with you."

Out of the booth he bolted, and with his heavy jaw set and his tight fists swinging strode through the night to the railroad station. With incredible swiftness the news spread that there was to be a murderous battle at the station. There was a small army of awestruck spectators at O'Grady's heels. He searched the railroad station and freight house and the surrounding like a tiger after a victim, but could find no victim for his wrath, and the crowd drifted away and began arguing all over again.

## EX-MERCHANT DEAD AND WIFE DYING IN SUICIDE PACT

Mr. and Mrs. Frederick Price Take Poison—Found by Victim's Brother.

When Charles B. Price of Woodmere, L. I., paid his visit to the apartment of his brother, Frederick Price, a retired merchant, at No. 500 West 222nd Street and Fifth Avenue, he found his brother dead in bed and his wife, Mrs. Henrietta Price, dying at his side.

According to the police report, both had taken poison in a suicide pact. Mr. Price was found by James J. Grady, No. 500 Broadway, who, in turn, called Policeman McGuire. Dr. Rosenberg of Washington Heights Hospital pronounced Mr. Price dead, and rushed Mrs. Price to the hospital, where it was said she had no chance to recover.

Mr. Price, who was 57, and his wife, who was 51, had swallowed some unknown poison from a bottle labeled "Wild Cherry Berries." The vial has been turned over to a chemist for analysis.

Mr. Price said his brother had been despondent and had repeatedly declared his business ventures had failed and that he was tired of life.

The couple leaves a son, a student at Columbia.

## DEAD WITH SWEETHEART, GUN AND POISON NEAR

Milwaukee Police Believe Pair, Wh Left Notes, Died in Suicide Pact.

MILWAUKEE, Wis., Oct. 26.—Residents of a truck in the garage of the Milwaukee Casket Company, Alma Leopold, seventeen years old, and Fred Oehler, her sweetheart, carried out what the police believe was a suicide pact early to-day.

Employees broke down the locked doors of the garage and found the girl's body, a bullet wound in her head, lying beside the truck. Sitting in the front seat of the truck they found Oehler, who was an employee of the company. There was a shot wound on the right side of his head. A revolver and a bottle of poison lay at his feet.

Two notes, in different handwriting, were found on an order blank of the company. They read: "Kindly notify Edward Strauss Phone Conner. Thanks for this favor and for all past favors."

"Kindly notify Mrs. H. Leopold."

"ALMA LEOPOLD"

## KAISER, ON A BRIDGE, HEARS REPORTS



THE KAISER IS SHOWN ON THE EXTREME RIGHT OF THE GROUP OF GENERALS.

THE KAISER ON A PONTON BRIDGE OVER THE MEUSE RIVER © INT. NEWS SERVICE

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## CHINA DEMANDS JAPAN SURRENDER TORPEDO BOAT THAT VIOLATED ITS RIGHTS.

PEKING, Oct. 27 (Associated Press).—The Chinese Foreign Minister has demanded the surrender of a Japanese torpedo boat, with its crew, which entered Chinese waters and substituted the Japanese flag for the Chinese dragon and attempted to tow away the wrecked German torpedo boat 8-50.



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THE KAISER ON A PONTON BRIDGE OVER THE MEUSE RIVER © INT. NEWS SERVICE

## RUSSIAN HORDES PRESSING ON IN GERMANS' WAKE

Centre and Right Advance in Pursuit of Invaders, While Left Holds.

ST. PETERSBURG, Oct. 26.—The War Office to-day definitely announced it had received information from the front that both the German advance on Poland and the Austrian advance in Galicia have been checked.

It says the Germans have been using the Austrians to cover their retreat.

The Russian centre and right continue to advance, while the weaker left wing is maintaining the new positions taken on the west bank of the Dan River.

Despatches arriving here from the front in Poland announce the continued retreat of the Germans, who evidently are suffering a succession of the heaviest defeats their army has known for 100 years. The Russians, pursuing them along the Pilsa, detached and destroyed their rear corps at Skiernewice. Further south, in Radom, the Russians in forced marches from Ivangevsk overtook the main army, thrusting it into a battle along a front of thirty miles.

The Russian troops on Friday made a series of terrible charges into the woods, killing thousands of the enemy. The Germans have been unable to retreat from this position and it is scarcely possible that more than a fraction of their army will be able to reach the Silesian frontier.

The scope of the Russian victories since a week ago yesterday, when the fighting was severest near Warsaw and along the Vistula, now clearly assumes great historic dimensions.

The back of the German army is now completely broken. The German General Staff failed in an effort to throw another army from Thorn upon the Russian cavalry army which is heading the Germans off in their flight westward.

From the victorious record of the week's fighting the Russians are choosing for a high place the deeds of the Caucasians at Kosenice. Messages from the army in Poland are spreading to the ends of the Russian Empire telling how the picked German army with its Prussian guards and heaviest guns broke and rolled back in despair before the immovable line of Caucasian infantry in the trenches at Kosenice.

LONDON, Oct. 26.—According to a despatch to the Daily Telegraph from Rotterdam the Vossische Zeitung of Berlin says the Russians, who had withdrawn most of their troops from Lemberg, have now sent there 50,000 men, who are strenuously fortifying the town.

The Russians, the paper says, are clearly determined to keep Lemberg at all costs.

PARIS, Oct. 26.—The War Office to-day issued the following: "Russia.—To the west of the Vistula and to the north of the Pilsa river, the Germans have been forced back on Lemberg. Skiernewice and Iwangevsk, which have been captured by the bayonet by the Russians.

"To the south of the Pilsa, in the direction of Radom, there has been a lively engagement between the Russians and the Austro-Germans, who lost prisoners and cannon.

"To the south of the Russian troops crossed the Vistula by main force, driving the Austrians back.

"On the river San and to the south of Przemysl there have occurred stubborn combats resulting favorably to the Russians. An Austrian column debouching from the Carpathians on Dolina (in Galicia, 22 miles to the south of Strzy) was routed."

## HARDEST FIGHTING OF WAR IS GOING ON IN FLANDERS

(Continued from First Page.)

already has been indicated in these official communications. "During the fighting of recent days the enemy seems to have sustained considerable losses."

## OFFICIAL GERMAN REPORT.

### Crossed Yser in Hard Fighting, Says the War Office in Berlin

AMSTERDAM, Oct. 26.—A Berlin despatch gives this report from German General Headquarters under date of yesterday: "The Yser-Ypres Canal, between Nieupoort and Dixmude, was crossed Saturday by further strong German forces after heavy fighting.

"East-northeast of Ypres the enemy has received reinforcements, but in spite of this our troops have advanced at several points, capturing about 500 British, among them twenty-eight officers, including a Colonel.

"In the east our forces have begun an offensive movement on August-town. Near Ivangevsk our troops are fighting jointly with the Austro-Hungarians and have taken 1,500 prisoners."

The events in the eastern theatre are described as having not yet entered a decisive phase. Despatches from the Austrian army headquarters report that a battle continues before Przemysl, where the front has now assumed the shape of a crescent with the Austrians vigorously attacking the north and south horns.

On Oct. 24, 5,300 Russian prisoners passed the Austrian headquarters, while 15,000 additional prisoners from Przemysl and Jaroslaw are reported en route.

### Belgian Villages Are Destroyed By Fire From Sea, Land and Air

LONDON, Oct. 26 (Associated Press).—The Germans have crossed the Yser River between Dixmude and Nieupoort, but whether or not this means a forward in the "On to Calais" movement may depend on operations further to the east.

Rumors continue to come in to London of the impending evacuation of Ostend and the reduction of the German garrison in Antwerp. This does not necessarily imply preparations for retreat, but it may mean that the Germans are throwing every available man against the allies left in their effort to conquer the Channel ports.

Along the Belgian littoral the allied fleet continues its bombardment. The great shells travelling three miles inland evidently have proved very effective, judging from the tragic fate of Gen. von Tripp and the members of his staff, who were killed by a projectile from a warship.

All reports agree that the fighting in West Flanders has been terrible beyond any witnessed during the war. Projectiles hurled from the land and the sea and the air are sweeping this flat, unprotected country, destroying villages and searching out the terror-stricken inhabitants, who delayed too long in getting out of the line of fire.

A Daily Mail despatch from Flushing says the fighting along the coast has shifted southward, and adds: "The German losses are frightful. Three meadows near Ostend are heaped with dead. The wounded are now installed in private houses in Bruges, where large wooden sheds are being rushed up to receive additional injured. Thirty-seven farm wagons, containing a mass of wounded, dying and dead, passed in one hour near Middlekerke.

The Germans have been working at new intrenchments between Cœsur Mer and Wenduine to protect the road to Bruges."

Paris reports that to the west and to the south of Lille fierce attacks by the Germans have been repulsed. The most significant part of the Paris official communication relates that the French, with their heavy artillery, now command the road, which is one of the principal lines of German communication with St. Mihiel—the holding of which by the invaders has constituted one of the greatest menaces to the allied line.

Reports indicate that the French aerial service has responded to the demand for reorganization which followed the storm of criticism levelled at it because of the ease with which German aeroplanes dropped bombs on Paris. No recent aerial attacks have been made on the French capital, and it is announced at the battle front that five German aeroplanes have been destroyed by French airmen.

Essad Pasha, the chronic disturber of the peace of Albania, is said to have invaded Northern Epirus. Essad's activity may compel Italy to consider the necessity of occupying Avlona, a step which might not meet with favor in Austria-Hungary.

## At McCutcheon's

You can shop here with the satisfaction of knowing that you will always secure honest goods in a satisfying variety and absolutely up-to-date in style.

Further you are assured of intelligent sales service and the added satisfaction of knowing that every article is honestly priced and guaranteed to give satisfaction.

McCutcheon's is the greatest treasure house of Linens in America.

But in addition to Linens we offer you complete and beautiful assortments in Bed Coverings, Imported and American Lingerie and Underwear, Ladies' Hosiery, Neckwear, Laces and Embroideries.

McCutcheon's is not a big store but a Specialty Shop of a few related departments where the old-fashioned standards of integrity are strictly observed and where you are always sure of honest goods at honest prices.

James McCutcheon & Co. Fifth Avenue, 34th and 35th Streets.

**ARE YOU RUN DOWN?**

**DR. ORENE'S NERVURA RESTORES HEALTH**

It is the most powerful Nerve Tonic yet put on the market. It restores health to the nervous system in 10 to 15 days. It is the only Nerve Tonic that is not a habit-forming drug. It is the only Nerve Tonic that is not a habit-forming drug. It is the only Nerve Tonic that is not a habit-forming drug.

**Faithful Friends!**

They are helpful as a brother. If you try one you always try another.

**JUST WORLD ADS.**

24,543 World Ads. Last Week. 6,731 Sunday World Advertisements. AN OLD, TRUE STORY

**MRS. PIKE TO SANITARIUM.**

Agency of "Tango Tea Burglar" to Retire for a Year.

Mrs. Gertrude Pike, one of the accused of Herbert J. Eaton, the "Tango Tea Burglar," now awaiting trial, was committed to Dr. Ames' Sanitarium at Stamford, Conn., to-day for a year. The proceedings, which were purely formal and supplemented Mrs. Pike's voluntary request to enter the sanitarium at the request of her mother, were conducted before Judge John F. Keating in the Probate Court. Dr. Grace Hammond and Dr. Frank Robinson, both New York specialists, testified that Mrs. Pike was not responsible through alcoholic excesses.

**FAIR MAIDEN LIVES ON SPEEDWAY.**

The defeat of Nathan Straus's Fair Maiden, driven by Tim Sullivan in the Class A race, was the surprise of the matinee on the Harlem Speedway yesterday. There were ten events contested and all provided excellent sport.

**FOUR KILLED IN PLUNGE OF AUTO OVER BANK**

Three Others Injured When Tire Bursts and Machine Takes Leap of Twenty Feet.

NEW PHILADELPHIA, O., Oct. 26.—Four persons, two women and two men, were killed and three seriously injured early to-day when the automobile in which they were riding plunged down a twenty-foot embankment at Massillon, near here.

**DIED.**

SULLIVAN.—On Oct. 24, THOMAS R. SULLIVAN, beloved husband of Anna Sullivan, in the sixtieth year of his age. Buried from his late residence, 58 Barrow street, Tuesday, 1 o'clock in the morning in the Cemetery of the Holy Name.

**CANDY**

PENNY A POUND PROFIT

Advertised Specials Are on Sale at All Our Stores.

Special for Monday: MOLLASSES PEANUT CREAM STICKS—The blinged, plummed and chocolate full flavored South American candy, rich with Mollasses, and rich with Cream, made in a special way. 10c

Special for Tuesday: ASSORTED FRUIT TABLETS—A collection of vari-colored crystalline tablets, flavored with the pure juices of various fresh fruits, presented in delightful variety. 10c

WE ALSO OFFER: FRUIT PASTE OR TURKISH LAGUNA—This sweet is something like a delicious Marmalade made from various kinds of fruits, with the form of jelly blocks or squares, showered with confectioner's sugar. This is a sweet which appeals to every one. 15c